

REMARKS

The Applicants confirm the earlier election of Group I including Claims 1-8. Claims 9-16 have been cancelled. The Applicants specifically reserve the right to file one or more divisional applications directed to the subject matter of those claims.

The Applicants have added new Claims 17-24. Those claims basically correspond to Claims 1- 8, respectively, except that in the case of Claim 17, the claim also recites that the steel strip has a CTOD value of 0.25 mm or more. Support may be found in paragraph [0065] of the Applicants' specification. Entry into the official file is respectfully requested.

Claim 1 has been amended to additional recite that the steel strip has a yield strength of at least 560 MPa. Support may also be found in paragraph [0065] of the Applicants' specification. Entry into the official file is respectfully requested.

The Applicants acknowledge the rejection of Claims 1-8 under 35 U.S.C. 103 over Okada. The Applicants note with appreciation the Examiner's helpful and detailed comments concerning the theoretical application of Okada to those claims. The Applicants nonetheless respectfully submit that Claims 1-8 are patentable over Okada for the reasons set forth in detail below.

Claim 1 recites, among other things, that the steel strip has a yield strength of at least 560 MPa. The Applicants respectfully submit that Okada fails to teach or suggest such a yield strength. This is because the composition of the steel strip as recited in Claim 1 and the method by which that steel strip is made is different from what is contemplated by Okada. The result is a steel strip according to Claim 1 that has a yield strength of at least 560 MPa.

This is sharply different from the steel sheets of Okada which, without exception, have significantly lower yield strengths. The Applicants particularly invite the Examiner's attention to Tables 3-1 and 3-2 with Examples 1a – 1c, 2a-2f, and 3-16, all of which are inventive examples in

accordance with Okada. The yield strengths are all below the Applicants' claimed at least 560 MPa. Most of the Okada strengths are in the 400s and range downwardly to about 260 MPa. Clearly, there is a significant difference in the yield strengths that occurs due to the differences in the compositions and methods of making the steel sheets of Okada versus the steel strips in this application. The Applicants respectfully submit that the above-mentioned yield strengths are a direct apples-to-apples comparison between the steel sheets of Okada and the claimed steel sheets. The Applicants' Examples and claim language clearly distinguishes the steel strips of Claims 1-8 over Okada. The Applicants therefore respectfully submit that Okada fails to teach or suggest the subject matter as recited in Claims 1-8. Withdrawal of the rejection of Claims 1-8 based on Okada is respectfully requested.


The Applicants have added new Claims 17-24 as noted above. The Applicants respectfully submit that those claims are also patentable over Okada inasmuch as Okada fails to teach or suggest the CTOD values of 0.25 mm or more as recited in Claim 17. The Applicants note that there is no evidence in Okada that would lead one of ordinary skill in the art to have an expectation that the claimed CTOD values of Claim 17 would be present in Okada. As noted above, there are significant differences in the composition and the methods of making the steel sheets of Okada versus those of Claims 17-24. As an example, Okada teaches a finished delivery temperature (FDT) of between 750° and 950° C. This is different from the method in this application inasmuch as the Applicants' finished delivery temperatures range between 680 and 720 as demonstrated in the Applicants' Examples. In that regard, the Applicants invite the Examiner's attention to Tables 2 and 4 wherein Ar_3 values are set forth. The finish delivery temperatures in the Applicants' method are calculated with the Ar_3 temperature minus 50. The result is a range between 680 and 720. As a result of this exemplary difference in method of production, one of ordinary skill in the art would reasonably

expect the physical characteristics (such as the above-mentioned yield strength) to be different. Accordingly, one of ordinary skill in the art would have no reasonable expectation that the CTOD values recited in Claim 17 would be present in the Okada steel strips. Accordingly, the Applicants respectfully submit that Okada is inapplicable.

The Applicants acknowledge the provisional double-patenting rejection of Claims 1-8 over Claim 4 of co-pending application Serial No. 11/049836. The Applicants respectfully request that further treatment of this rejection be held in abeyance inasmuch as the rejection is a provisional rejection.

In light of the foregoing, the Applicants respectfully submit that the entire application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,


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